

1
2
3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF DELAWARE**
5

6 UNITED STATES OF AMERICA,) Case No.: 1:06-CR-001-001-SLR
7 PLAINTIFF,)
8 v.) EX PARTE MOTION TO MODIFY JUDGEMENT
9 ANDRES ABARCA SOLIS,) AND COMMITMENT AND TO SHOW CAUSE
10 DEFENDANT.)
11)
12)

13)

14)

15)

16)

17)

18)

19)

20)

21)

22)

23)

24)

25)

26)

27)

28)

NOW COMES, Defendant (Andres Abarca Solis), in Pro Se, who hereby moves this Court to modify the Judgement and Commitment in this case to add to the recommendation in the J&C to recommend that the Defendant be placed in a BOP Facility near his families residence in Delaware to prevent further hardships.

Further, Defendant moves the Court to issue a Order to Show Cause directing the Government to Show Cause as to why Defendant is being seperated from his family by such a significant distance when prisons exist in a closer proximity to his sentencing district.

This motion is supported by the accompanying Memorandum.

Dated: August 21st, 2007

Respectfully Submitted,


Andres Abarca Solis
Defendant in Pro Se

1 **MEMORANDUM IN SUPPORT OF EX PARTE MOTION TO MODIFY JUDGEMENT
2 AND COMMITMENT AND TO SHOW CAUSE**

3 **TO: CHIEF JUDGE SUE L. ROBINSON
4 FROM: ANDRES ABARCA SOLIS (DEFENDANT);
5 BENJAMIN JACOB KERENSA**

6 **DEAR CHIEF JUDGE:**

7 This memorandum is in support of the attached Motion. I am
8 requesting that you grant the Motion since it is the policy
9 of the Federal Bureau of Prisons to house inmates within their
10 region in which they were sentenced. However this is not happening
11 in my case and as a result I am unable to see my family and it
12 cause undue hardship on me. I am therefore requesting that you
13 grant my motion pursuant to Rule 35 (Fed Crim Rules of Proc) and
14 that my J&C be modified as requested and the Motion to Show Cause
15 be issued.

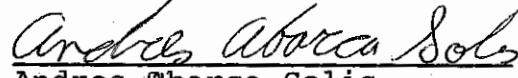
16 Lately, Federal Bureau of Prisons has been found to be failing
17 to be compliant with their own policies and even federal law.

18 See U.S. v. Kerensa, CR 03-00333-1-JSW (N. CAL 2007).

19
20 Therefore I submit this request for your careful consideration and
21 I ask you offer any remedy possible in this matter.

22
23 Dated: August 21, 2007

24 Respectfully Submitted,

25 
26 Andres Abarca Solis
27 Defendant in Pro Se

28 
29 Benjamin Jacob Kerensa
30 Consultant

Andres Abarca Solis #04161-015
U.S. Penitentiary
3901 Klein Blvd., L Unit
Lompoc, CA 93436

LEGAL MAIL

SANTA BARBARA
CA 931 3 T
22 AUG 2007 PM

Clerk of Court for U.S. District Court
District of Delaware
ATTN: Criminal Filings
844 King St.
Wilmington, DE 19801-3570

409917243491

409917243491

409917243491